

Honorable Magistrate Judge J. Richard Creatura

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA**

PENNY MARIE DOOLITTLE,

Plaintiff,

v.

CAROLYN W. COLVIN,
Acting Commissioner of Social
Security,

Defendant.

CASE NO: 3:12-CV-05840-JRC

AGREED ORDER OF REMAND

This Court had jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local Magistrate Judge Rule MJR 13. (*See also* Notice of Initial Assignment to a U.S. Magistrate Judge and Consent Form, ECF Nos. 3, 4.) This matter is before the Court on Plaintiff's Complaint. (ECF No. 1.)

After Oral Argument held on September 25, 2013, the reasons stated from the bench, and the relevant record, the Court ORDERS that this matter is REVERSED and REMANDED to the Commissioner for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

**AGREED ORDER
OF REMAND REMAND**

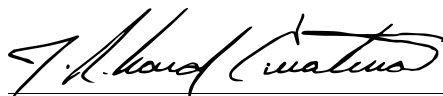
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On remand, the Administrative Law Judge (ALJ) shall hold a new hearing and issue a new decision. The ALJ should evaluate and weigh Plaintiff's knee condition as well as Plaintiff's pain disorder at step two. In doing so, the ALJ shall assess Plaintiff's documented pain disorder by utilizing the special psychiatric review technique required by 20 C.F.R. § 404.1520(a). The ALJ shall consider the combined effects of all of Plaintiff's physical and mental impairments and perform a new step three analysis. If necessary based on the step three determination, the ALJ should perform a new residual functional capacity assessment taking into account all severe and non-severe impairments. The ALJ should perform a new step five analysis, as relevant, including obtaining additional vocational expert testimony, if necessary. The Court further recommends that the ALJ take any other actions necessary to develop the record. In addition, Plaintiff should be allowed to submit additional evidence and arguments to the ALJ on remand.

Given the facts and the reasons stated from the bench, the Court hereby orders that this case be **REVERSED** and **REMANDED** pursuant to sentence four of 42 U.S.C. § 405 (g).

Dated this 4th day of November, 2013.



J. Richard Creatura
United States Magistrate Judge

**AGREED ORDER
OF REMAND REMAND**

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